



City of Malibu

MEMORANDUM

To: Mayor Kearsley and the Honorable Members of the City Council, Department Heads, City Attorney, City Treasurer, Lt. Gressman, City Employees (via email), Malibu Surfside News and Malibu Times (via facsimile)

From: Lisa Pope, City Clerk

Date: April 29, 2003

Re: Actions from April 28, 2003 Regular City Council meeting

At the regular City Council meeting on Monday, April 28, 2003, the Council took the actions listed below with follow-up by various staff members shown in parentheses:

1. Authorized the City Attorney's Office to file an amicus brief in the lawsuit entitled Marine Forest v. California Coastal Commission (City Attorney)
2. Entered into a settlement agreement (on a vote of 4-1) in Los Angeles County Superior Court Case No. SS10632 – Cher v. City of Malibu (City Attorney / City Clerk)
3. Continued the April 28, 2003 Closed Session agenda to April 30, 2003, 5:30 p.m. (City Clerk)
4. Proclaimed April 30, 2003 as El Dia de los Ninos (City Clerk)
5. Directed staff to schedule a discussion on the Parks and Recreation Commission's previous action related to the Malibu Bay Company Development Agreement at the Commission's next meeting (Parks and Recreation)
6. Allowed and approved warrant demand numbers 21726 through 21851 listed on the register from the General Fund and directed the City Treasurer to pay out the funds to each of the claimants listed in Warrant Register No. 282 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands, including payroll checks, in a total amount of \$746,102.20. ADP payroll voucher numbers 2977861 – 2977871 were issued in the amount of \$96,625.76 (Administrative Services / City Clerk)
7. Re-affirmed the State of Local Emergency Declared by the Director of Emergency Services on January 13, 2003 relating to the Pacific (Trancas area) Fire (City Clerk)

8. Approved funding for the Malibu Beach Team (Administrative Services)
9. Approved Agreement Amendments in the aggregate amount of \$540,801.30 between Envicom Corporation and the City of Malibu for the preparation of the Final Impact Report for the Malibu Bay Company Development Agreement Project (Planning / Administrative Services / City Clerk)
10. Approved the contract with the Community Development Commission which will allow the City to participate in the Community Development Block Grant program (Administrative Services / City Clerk)
11. Denied claims filed by Julie Randall, Traudel Taylor and William P. Osborn (City Clerk)
12. 1) Adopted Resolution No. 03-19 approving the application for grant funding from the Department of Fish and Game Fisheries Restoration Grant Program for acquisition of four undeveloped parcels from willing sellers for the stabilization and restoration project at Las Flores Creek Park; and 2) appointed the City Manager as agent of the City to conduct all negotiations, execute and submit all documents, including but not limited to applications, agreements, amendments, payment requests and other required actions which may be necessary for the acquisition of four parcels adjacent to Las Flores Creek Park (City Manager / City Clerk)
13. 1) Approved the RFP for the Headlands Natural Preserve Shuttle and 2) extended the contract with Malibu Shuttle on a month-to-month basis until a new contract is approved (Public Works / Administrative Services / City Clerk)
14. Adopted Resolution No. 03-03 certifying the Final EIR; adopting the EIR Mitigation Monitoring and Reporting Program, and conditionally approving the project including Minor Modification to reduce setbacks (MM 02-025); Variances to grade in excess of 1000 cubic yards, construction on slopes greater than 2 ½ to 1 and to build a wall higher than 6 feet (VAR 97-017); Conditional Use Permit for new commercial construction (CUP 96-019); Site Plan Review for height above 18 feet but no greater than 28 feet (SPR 96-064); and Commercial Plot Plan Review for the new Bed and Breakfast Inn (PPC 96-029) amended as follows:
 - Reducing the square footage of each unit to 580 square feet (total of 16,240 square feet);
 - Prohibiting outdoor amplification;
 - Prohibiting outdoor lights on the Creek side;
 - Requiring radar subsurface examination or gas VOC test to determine location of tanks;
 - Removing the requirement for dedication of 17 parking spaces to the Santa Monica Mountains Conservancy;
 - Amending Mitigation Measure 5.j., related to swimming pools, to read as follows:
"Swimming pool water shall not be discharged into Solstice Canyon Creek. The proposed drainage plans shall include BMPs for controlling spillover swimming pool water in a manner that prevents such water from entering Solstice Canyon Creek. During routine maintenance, the swimming pool water shall be pumped into a



wastewater truck and transported off-site to be discharged in a proper location in accordance with all applicable laws and regulations.”; and

Amending the Stormwater Management requirements to read as follows: “BMPs must be constructed to capture, treat or infiltrate the 10-year storm to ensure that there is no increased flow to Solstice Creek over existing conditions. City Public Works must approve the final design of the BMPs chosen for the site.”

(Planning / City Clerk)

15. 1) Adopted Resolution No. 03-16, vacating City Council Resolution No. 07-00 (a) and Resolution No. 00-70 (B) (Keach); 2) Adopted Resolution No. 03-18, approving an exemption from the Slope Density Formula of the Subdivision Ordinance, Tentative Parcel Map No. 02-002 and Negative Declaration No. 00-011, as amended; and 3) Referred Resolution No. 03-17, denying Variance No. 00-023, to staff to make the appropriate findings (Planning / City Clerk)
16. Introduced on first reading Ordinance No. 247, amending M.M.C. Section 9.04.020, Drinking in Public Prohibited, as amended; and 2) Directed staff to schedule second reading and adoption of Ordinance No. 247 on May 12, 2003 (City Clerk)
17. Continued to May 12, 2003, Recognition of Los Angeles County District Attorney Steve Cooley (City Clerk)
18. Continued to May 12, 2003, Consideration of Direction to Staff to Prepare an Ordinance banning Onychectomy (Declawing) and Flexor Tendonectomy Procedures within the City (City Clerk)
19. Continued to May 12, 2003, AB 947: An Act to Amend Section 36201 of, and to Add Chapter 6.5 (Commencing with Section 36550) to Division 27 of, the Public Resources Code, Relating to Natural Resources (City Manager / City Clerk)

cc: Katie Lichtig, City Manager

